
UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

DAVID BOURGEOIS,
TDCJ 1379715,

Plaintiff,

versus

TOMMY ORLANDO,

Defendant.

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CIVIL ACTION H-07-688

Opinion on Dismissal

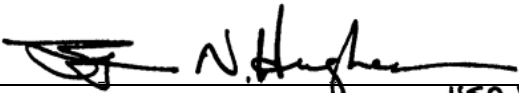
David Bourgeois filed a civil rights complaint. 42 U.S.C. § 1983. He is held in the state prison. Bourgeois moves to proceed as a pauper. 28 U.S.C. § 1915.

Bourgeois has sued about 24 other times in the federal district courts in Texas. Four of these lawsuits were dismissed for failing to state a claim or being malicious. *See Bourgeois v. Mason*, H:07cv191 (S.D.Tex.); *Bourgeois v. Haynes*, 7:06cv207 (N.D.Tex.); *Bourgeois v. Schaffer*, H:06cv3476 (S.D.Tex.); and *Bourgeois v. McClane*, H:06cv4103 (S.D.Tex.). When Bourgeois sued, he was confined in prison or jail. These other cases were dismissed before Bourgeois filed this case.

A prisoner may not bring a case in federal court as a pauper if, while incarcerated, he brought three actions which were dismissed as frivolous, malicious, or for failure to state a claim, unless he is under imminent danger of serious physical injury. 28 U.S.C. § 1915(g). Bourgeois's papers do not show such danger.

This complaint is dismissed. 28 U.S.C. § 1915(g).

Signed on March 6, 2007, at Houston, Texas.



Lynn N. Hughes
United States District Judge